

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BEATRICE JEAN-LOUIS,

Plaintiff,

-against-

ORDER
25-CV-921 (DG)(JAM)

DIVISION 1181 A.T.U. – NEW YORK EMPLOYEES
PENSION FUND,

Defendant.

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JOSEPH A. MARUTOLLO, United States Magistrate Judge:

Pro se Plaintiff Beatrice Jean-Louis requests *pro bono* counsel.¹ Dkt. No. 22. The request is denied without prejudice. Plaintiff may renew her application, if warranted, after Plaintiff responds to the motion to dismiss filed by defendant. Dkt. No. 20.

There is no right to counsel in a civil case. *Guggenheim Capital, LLC v. Birnbaum*, 722 F.3d 444, 453 (2d Cir. 2013). The Court cannot compel an attorney to represent a litigant in a civil case without a fee. *Mallard v. U.S. Dist. Court*, 490 U.S. 296 (1989). Rather, the Court may only request an attorney to volunteer to represent a party in a civil case. The Court looks to several factors to determine whether it is appropriate to make such a request. The first consideration is whether the plaintiff's position is "likely to be of substance." *Ferrelli v. River Manor Health Care Ctr.*, 323 F.3d 196, 203–04 (2d Cir. 2003) (citation omitted); *see Hodge v. Police Officers*, 802 F.2d 58, 61 (2d Cir. 1986) (stating factors to consider). At this juncture, the Court cannot assess whether Plaintiff's claim is "likely to be of substance."

¹ Defendant removed this action to this Court from New York State Supreme Court, Kings County, on February 18, 2025. ECF No. 1.

To the extent that Plaintiff requests to proceed *in forma pauperis*, Plaintiff is referred to the EDNY website that includes the relevant applications to proceed in District Court without prepaying fees and costs, available at <https://www.nyed.uscourts.gov/pro-se-forms>.

Accordingly, Plaintiff's request for *pro bono* counsel is denied without prejudice. Plaintiff is strongly encouraged to contact the Federal *Pro Se* Legal Assistance Project (212-382-4729 or <https://www.citybarjusticecenter.org/projects/federal-pro-se-legal-assistance-project>) of the City Bar Justice Center for free, confidential, limited-scope legal assistance.

Dated: Brooklyn, New York
May 15, 2025

SO ORDERED.

/s/ Joseph A. Marutollo
JOSEPH A. MARUTOLLO
United States Magistrate Judge